

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO. 81-58

AN ORDER REQUIRING CASTLEWOOD COUNTRY CLUB  
TO CEASE AND DESIST FROM DISCHARGING WASTES  
IN VIOLATION OF THE REQUIREMENTS OF ORDER NO. 81-57  
AS PRESCRIBED BY THE CALIFORNIA REGIONAL WATER  
QUALITY CONTROL BOARD

The California Regional Water Quality Control Board, San Francisco Bay  
Region (hereinafter Board), finds that:

1. On October 21, 1981 this Board adopted Order No. 81-57 prescribing waste discharge requirements for the discharge of Castlewood Country Club's (hereinafter discharger) wastes to evaporation-percolation ponds. The requirements and provisions of Order 81-57 are similar, with minor modifications, to the Board's Order 78-23 which expired on July 1, 1981.

2. The requirements of Order No. 81-57 provide, in part as follows:

"A. Prohibitions

1. Overflow from the evaporation-percolation ponds is prohibited.
2. The direct discharge of wastewater from the discharger's treatment and disposal facilities to Arroyo de la Laguna is prohibited.

B. Interim Limitations

The discharger shall comply with the following interim specifications immediately:

1. The treatment or disposal of waste shall not create a nuisance as defined in Section 13050(m) of the California Water Code.
  2. To prevent threat of overflows, a minimum freeboard of 2 feet shall be maintained in each evaporation-percolation pond at all times.
  3. The discharge of waste shall not degrade the quality of any ground water.
  4. The discharge of waste shall not cause seepage to surface any place outside the percolation ponds."
3. During February, March, and June 1981 the discharge of wastes was in violation of Prohibition A.1. and Interim Limitations B.2. and B.4. in Finding 2 of this Order and similar provisions of requirements contained in Board Order 78-23. During these same times the threatened violation of Prohibition of A.2. of Finding 2 also existed.

4. The violations and threatened violations cited in Finding 3 of this Order were and are due to the following factors: inadequate evaporation-percolation pond capacity; possible unknown high influent flows, even during dry weather; weakened and inadequate pond levees. Similar findings and factors led the Board to adopt Cleanup and Abatement Order No. 77-022 on December 23, 1977.
5. The discharger's facilities are considered interim awaiting the results of a project report and EIR to determine a cost-effective long-term solution. The discharger's existing interim facilities threaten to violate the prohibitions and requirements cited in Finding 2 above unless the discharger determines which of the factors cited in Finding 4 above, or such other factors as may be determined in the future, cause the violations and implements those actions determined to be necessary or as may be recommended from tasks required by this Order.
6. Immediate actions by the discharger as required in this Order are necessary to prevent violations of requirements by the direct discharge of wastewaters to Arroyo de la Laguna, especially during wet weather. The direct discharge of wastewaters to the Arroyo would create a condition of pollution and nuisance in that the quality of waters would be altered to a degree which would unreasonably affect and prevent full enjoyment of the beneficial uses of the Arroyo de la Laguna, Alameda Creek and possibly ground waters of Niles Cone.
7. It may be necessary to prohibit additional discharges to the sewer systems served by the discharger to prevent the violation or threatened violation of waste discharge requirements. However, the County has imposed a connection moratorium in July 1977 which it has effectively enforced.
8. The discharger was remiss in the operation of its waste treatment facilities which contributed to the violation of waste discharge requirements and further was remiss in failing to promptly report to the Board the violation of waste discharge requirements.
9. This action is an order to enforce waste discharge requirements previously adopted by the Board. This Action is therefore categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15121 of the Resources Agency Guidelines.
10. Beginning at 9:30 a.m. on Wednesday, October 21, 1981, in the Assembly Room, State Building, 1111 Jackson Street, Oakland, after due notice to the discharger and all other affected persons, the Regional Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.

IT IS HEREBY ORDERED that the Castlewood Country Club cease and desist from discharging wastes or threatening to discharge wastes contrary to the requirements contained in Order No. 81-57 as follows:

- A. The discharger shall immediately comply with all requirements of Order No. 81-57.
- B. The discharger shall demonstrate continuing and consistent compliance with the Prohibitions and Interim Limitations of Order 81-57 by the date shown or forthwith:
  - 1. Submitting a technical report not later than November 12, 1981, satisfactory to the Executive Officer on the operation and management of the evaporation-percolation ponds for the estimated remaining life of the interim facilities. The report shall primarily consider a water balance directed toward assuring adequate capacity and freeboard in the ponds. Intermittent slug flows shall be considered to determine their impact.
  - 2. Submitting a technical report with an implementation time schedule satisfactory to the Executive Officer prepared by a registered civil engineer experienced in soil mechanics, or a certified engineering geologist, on the necessary improvements to the ponds and levees to assure adequate capacity and freeboard.
  - 3. Implementing the recommendations of the technical report in B.2. above.
  - 4. Monitoring daily by the discharger and reporting weekly, signed by the general manager or a responsible person so designated by the Castlewood Country Club Board of Directors in writing to the Executive Officer under penalty of perjury, the pond(s) freeboard, levee and plant conditions. The report shall be to the satisfaction of the Executive Officer, he may also increase or decrease the monitoring or reporting frequency as conditions warrant.

C. IT IS HEREBY FURTHER ORDERED THAT:

- 1. Cleanup and Abatement Order No. 77-022 is hereby rescinded.
- 2. If the Executive Officer determines during his further investigation that the waste treatment facilities do not have or will not have capacity to treat waste from projected growth to assure continuous and consistent compliance with waste discharge requirements, and the County does not effectively maintain its prohibition of additional discharges to the treatment facilities, he is directed to immediately notice, after consulting with the Chairman, a hearing to amend this Order to include a prohibition of additional discharges to the sewer system.

3. If the Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is authorized, after approval of the Board Chairman, to request the Attorney General to take appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.
4. If the Executive Officer determines that the provisions of this Order are violated and does not refer the matter to the Attorney General, he is instructed to report to the Board the reasons that the discharger has been unable to comply with the provisions of this Order.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on October 21, 1981.

FRED H. DIERKER  
Executive Officer